

## HOUSE JOINT RESOLUTION NO. 8

INTRODUCED BY H. JACOBSON, BIXBY, CHRISTIAENS, GOLIE, HEDGES, LENHART, LINDEEN,  
MANGAN, SCHRUMPF

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT THE LEGISLATIVE COUNCIL DESIGNATE AN APPROPRIATE INTERIM COMMITTEE OR ASSIGN SUFFICIENT STAFF RESOURCES TO STUDY MONTANA'S VOTING SYSTEMS AND PROCEDURES AND TO MAKE RECOMMENDATIONS TO THE 58TH LEGISLATURE.

WHEREAS, the closeness of the November 7, 2000, presidential election illuminates the need to inventory existing voting systems and evaluate how improvements and modernizations can impact state and local voting systems;

WHEREAS, other states and even other nations have already implemented some updates, which have included the use of kiosk voting machines as well as Internet voting systems; and

WHEREAS, current federal legislation, including a bill in the U.S. Senate proposing a \$100 million annual matching grant program, is being contemplated as a means of assisting states and localities that want to improve and modernize their voting systems; and

WHEREAS, several agencies, including the Federal Elections Commission, the National Conference of State Legislatures, the General Accounting Office, and the National Association of Secretaries of State, have already begun to examine options for modernizing voting methods in the states; and

WHEREAS, the Montana Legislature should be proactive rather than reactive so that current methods can be carefully assessed, options can be systematically investigated, and local voting systems can be modernized in a manner that makes sense for Montana, is fiscally responsible, and will enhance accuracy, security, and participation in the voting process; and

WHEREAS, the U.S. Supreme Court suggested that irregular voting procedures could violate the guarantee of equal protection as set forth in the U.S. Constitution.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant

1 to section 5-5-217, MCA, or direct sufficient staff resources to:

2 (1) identify current voting methods and systems used in Montana localities and assess what  
3 problems, if any, have been encountered or may be anticipated;

4 (2) examine the experiences of other states and nations that have updated their voting systems;

5 (3) conduct an assessment of the following:

6 (a) the capabilities and costs for installation and operation of the various technologies available  
7 to improve voting systems;

8 (b) the advantages and disadvantages of those systems; and

9 (c) potential impacts on the state and its localities;

10 (4) evaluate the findings and recommendations of the various federal and state study commissions  
11 on how best to improve and update state voting systems, recount procedures, and methods of identifying  
12 voter intent on disputed ballots;

13 (5) consider options that make sense for Montana's local communities;

14 (6) develop recommendations and legislation, as appropriate, to address:

15 (a) identified issues in a manner that will enhance the accuracy, security, and accessibility of  
16 voting systems in Montana; and

17 (b) problems associated with recounts and resolution of voter intent with respect to disputed  
18 ballots.

19 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be  
20 presented to and reviewed by an appropriate committee designated by the Legislative Council.

21 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review  
22 requirements, be concluded prior to September 15, 2002.

23 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,  
24 comments, or recommendations of the appropriate committee, be reported to the 58th Legislature.

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